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WAYNE

Investigation ongoing into driver who plowed Mercedes into DTW terminal



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The man arrested after authorities say he drove his Mercedes through Detroit Metro Airport's McNamara Terminal in January remains jailed, with no charges filed in connection with the crash more than three months after the incident.

The Wayne County Airport Authority submitted a warrant request Feb. 12 to the Wayne County Prosecutor's Office seeking charges of aggravated assault, operating while intoxicated, reckless driving and malicious destruction of over \$20,000 in business property — but the prosecutor has yet to make a charging decision and has said little publicly about the status of the case. The accused is in jail on charges unrelated to the crash.

There was no update on the case as of April 29. It's "actively being worked on," Maria Miller, a spokesperson for the prosecutor's office, said April 21.

"Along with the usual locating and interview of witnesses there is very important forensic evidence that has to be evaluated and reviewed," Miller said.

Six people suffered minor injuries in the Jan. 23 incident. Surveillance video showed several bystanders narrowly avoiding what could have been a far more devastating outcome. The Free Press is not naming the suspect in this case because he hasn't been charged.

Officials have said the man was experiencing a “mental health episode” at the time. He was hospitalized for mental health treatment following the crash, and on Feb. 3 a judge ordered him into a 180-day mental health treatment program.

Authorities have homed in on the toxicology report for the man and the telemetry data from the vehicle to determine whether he was accelerating at the time of impact — the results for both would help establish intent and haven't yet been disclosed.

It's not surprising the prosecutor's office is taking its time on the case, according to John Freeman, a Bloomfield Hills defense attorney and former federal and state prosecutor.

"It seems like there's a pretty well-documented issue with this individual and mental health problems. And that really complicates things dramatically because, ultimately, the prosecution, and the police, need to figure out, was this an intentional act? And if so, was the intent genuine, or was it the byproduct of a documented legitimate mental illness that could negate criminal responsibility?" Freeman said.

"That opens up a whole host of legal and factual issues that become very, very complex as a case unfolds. So to my way of thinking, it's better that the prosecution gets those cases resolved on the front end if they have the luxury of time. And here, I think they have the luxury of that kind of time."

More: Driver experienced 'mental health episode' during Metro Airport crash, official says

More: See Detroit airport entrance damaged after car crashes through doors

And if there are court proceedings that reference his mental health issues, “if I’m the prosecutor, I’m gonna want all of those records. I’m gonna want the transcripts from those hearings. I’m gonna want to see exactly what was said and what evidence is publicly available. That takes time to analyze," Freeman added.

And the case is of high public interest, Freeman said:

“I think the prosecutor's office wants to get it right and is going to take the time they have the luxury of having to get it right. And as a long-standing criminal practitioner, I'm glad to see that they don't appear to be rushing to conclusion.”

What adds even more complexity to the case, according to Freeman, is the fact that the man also faces a series of legal troubles and allegations up until the day of the crash tied to a woman he'd briefly dated last summer. She told the Free Press he quickly began behaving erratically, and, by late July, she had sought her first personal protection order — which was initially denied before a second request was granted on Aug. 26.

Then on Aug. 30, she accused him of striking her in the face when she returned home after a night out, leaving her with a black eye. He was charged with third-offense felony domestic violence as well as malicious destruction of property after he allegedly destroyed a security camera at her door later that same night.

But despite those charges and a no-contact order, the woman says he sent her more than 50 text messages between Dec. 24 and Jan. 18 — just days before the airport crash. The messages, reviewed by the Free Press, ranged from professions of love and marriage proposals to threatening and demeaning language. She reported the violations to Westland police at least five times and notified the court.

She says a judge gave him only a verbal warning.

After the Free Press began asking questions about the possible bond violations, the woman said a Westland police officer called her on Feb. 12 to inform her that a new warrant request would be submitted. Court records confirm the man was charged with aggravated stalking that same day.

He's currently scheduled for a competency hearing to determine criminal liability in that case in late May.

"The potential for the airport incident to be connected to the alleged domestic violence, that adds a whole other layer of complexity," Freeman said.

"I spent 14 years as a prosecutor. With this kind of thing, I can tell you, I would definitely want to sift through it all to have a real working understanding of what we're dealing with."

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